

### **REMARKS/ARGUMENTS**

The Applicants have carefully considered this Application in connection with the Examiner's Action and respectfully request reconsideration of this Application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-21 in the Application. The Applicants have amended Claims 1, 3, 8, 10, 15, and 17-21 and have canceled Claim 2, 9 and 16 without prejudice or disclaimer. The Applicants have added dependent Claim 22. Accordingly, Claims 1, 3-8, 10-15, and 17-22 are currently pending in the Application. Claims 17-21 were amended to correct an inadvertent claim dependency error. Support for the present Amendments may be found, among other places, on page 8, paragraph [0020] through page 9, paragraph [0021] and on page 11, paragraph [0025] of the present Application.

#### **I. Rejection of Claims 1, 3-5, 8, 10-12, 15 and 17-19 under 35 U.S.C. §102**

The Examiner has rejected Claims 1, 3-5, 8, 10-12, 15 and 17-19 under 35 U.S.C. §102(b) as being anticipated by US Patent Publication 2005/0097053 to Aaltonen *et al.* ("Aaltonen.") As the Examiner is no doubt aware, anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference; the disclosed elements must either be disclosed expressly or inherently and must be arranged as in the rejected claims.

Aaltonen is generally directed towards:

A system for protecting content includes a terminal capable of receiving content and storing the content in memory. The system also includes a first network entity capable of adding padding data to the received content, where the content and padding data form aggregate content having a size greater than a size of the content.

Alternatively, the first network entity can modify a file allocation table entry of content stored by the terminal to thereby increase a perceived size of the content. A second network entity of the system is capable of accessing the aggregate content, and thereafter extracting the received content from the aggregate content upon request for the received content. Alternatively, the second network entity can extract the file allocation table entry of the received content from the modified file allocation table entry, and thereafter assemble the received content from the file allocation table entry of the received content. (*See Abstract.*)

Amended Claim 1 is directed to a broadcast retransmitter for use with a wireless local area network (WLAN), comprising a gateway configured to format a bitstream received from a broadcast receiver, the bitstream including an aggregate signal resulting from a combination of a plurality of signals, at least one signal of the plurality of signals received from a satellite. The Examiner did not cite Aaltonen for a disclosure of the claim language of previously dependent Claim 2, which recited: "The retransmitter as recited in Claim 1 wherein said broadcast receiver is a satellite receiver." The Applicants agree with the Examiner that Aaltonen does not disclose or suggest the claim language of previously dependent Claim 2.

This claim language has now been substantially incorporated into independent Claim 1, as well as additional elements, as will be discussed later in this Amendment. The Applicants respectfully submit that Aaltonen does not disclose each and every element of the claimed invention of Claim 1 and as such, is not an anticipating reference. Nor, for some analogous reasons, is Aaltonen an anticipating reference for independent Claims 8 and 15. Because Claims 3-5, 10-12 and 17-19 are dependent upon Claims 1, 8 and 15, respectively, Aaltonen also cannot be an anticipating reference for Claims 3-5, 10-12 and 17-19. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102 rejection with respect to these Claims.

## **II. Rejection of Claims 2, 6-7, 9, 13-14, 16, and 20-21 under 35 U.S.C. §103**

The Examiner has rejected Claims 2, 9 and 16 under 35 U.S.C. §103(a) as being unpatentable over Aaltonen in view of U.S. Patent No. 6,243,427 to Stockton *et al.* ("Stockton"). The Examiner has rejected Claims 6, 13 and 20 under 35 U.S.C. §103(a) as being unpatentable over Aaltonen in view of U.S. Publication No. 2005/0097053 to Eng ("Eng"). The Examiner has rejected Claims 7, 14 and 21 under 35 U.S.C. §103(a) as being unpatentable over Aaltonen in view of U.S. Patent No. 6,728,824 to Chen ("Chen").

Stockton is directed to:

A one-way and two-way multichannel radio frequency transmission system and method employing a sectorized broadcasting technique .... The system and method reduces the effective bandwidth of the broadcast signal by multiplexing available channels of signals into a set of formatted independent digital bitstreams--where each of the bitstreams includes all or a portion of the available channels provided by the system program provider. The independent bitstreams are transmitted to transmitting towers using point-to-point transmission methods. The transmitting towers phase modulate and amplify the bitstreams to generate a set of independent modulated signals. (*See Abstract.*)

Regarding the previous dependent Claim 2, now substantially incorporated into independent Claim 1, the Examiner cites Stockton for teaching that a "broadcast receiver is a satellite receiver. (Column 10, lines 12-22.)" (*See Examiner's Action*, pages 3-4.)

Column 10, lines 12-22 of Stockton recites:

In order to transmit bitstreams 19 the signals must be put in suitable condition in accordance with the transmission method used to transmit the bitstream(s) between provider subsystem 10 and transmitter subsystem 11. Several different point-to-point digital transmission methodologies can be used such as satellite, cable, point-to-point microwave transmission, or fiber optics. The particular processing steps performed to put the bitstream(s) in condition for transmission is dependent on the transmission methodology used and should be well understood by one skilled in the field of communication systems.

However, assuming *arguendo* that Stockton teaches that a broadcast receiver is a satellite receiver, Stockton does not disclose or suggest a broadcast retransmitter for use with a wireless local area network (WLAN), comprising a gateway configured to format a bitstream received from a broadcast receiver, ***the bitstream including an aggregate signal resulting from a combination of a plurality of signals, at least one signal of the plurality of signals received from a satellite***, as presently claimed in independent Claim 1.

In Stockton, bitstream 19 is an independent bitstream that is a reduction of input channels signals 14A and 14B, such as a combination of an analog TV signal and a digital TV signal or Internet data, respectively. (See column 8, lines 22-32.) In Stockton:

The Signal Multiplexer Segment 16 controls how the channel signals 14A and 14B will be multiplexed into the single output bitstream 19. Each of Signal Multiplexer Segments 16 generates an independent bitstream 19 comprising all or a portion of channel signals 14A' and 14B. ... The number of bitstreams 19 is dependent on the number of antenna panels that the antenna of the present invention includes. For example in the embodiment of the present invention that employs an antenna having eight antenna panels, eight independent bitstreams 19 are generated for each transmitter subsystem 11. This allows a different signal to be coupled to and broadcast from each of eight antenna panels in a given service area." (See column 8, line 59- column 9, line 6.)

Stockton is unlike the present invention of Claim 1 as currently amended. In Stockton, the bitstreams have multiplexed channels, and there is a correlation between bitstream 19 and a service area. In other words, in Stockton, a service area broadcast transmit tower 11 generally receives a different independent bitstream 19 for a different service area, and transmits each bitstream 19 to each service area, each in its own frequency range. (See Abstract, and column 9, line 55 to column 10, line 11.)

In Claim 1 as currently amended, however, gateway configured to format a bitstream received from a broadcast receiver, ***the bitstream including an aggregate signal resulting from a***

*combination of a plurality of signals, at least one signal of the plurality of signals received from a satellite*, which is not disclosed or suggested in Stockton. In Stockton, each bitstream 19 is independent and contains multiplexed channels, but no aggregate signal resulting from a combination of a plurality of signals, at least one signal of the plurality of signals received from a satellite is disclosed or suggested.

Nor does Eng compensate for the deficiencies of Aaltonen or Stockton. Eng is directed to reserving resources of one or more multiple access communication channels, but Eng does not disclose or suggest a broadcast retransmitter that receives and combines a plurality signals, at least one signal received from a satellite, as is claimed in independent Claim 1.

Nor does Chen compensate for the deficiencies of Aaltonen or Stockton. Chen is directed to a method and apparatus for controlling multi-channel bitstreams, but Chen does not disclose or suggest a broadcast retransmitter that receives and combines a plurality of redundant signals from a plurality of satellites, as is claimed in independent Claim 1.

Aaltonen, individually or in combination with variously Stockton or Eng or Chen, fails to teach or suggest the invention recited in independent Claim 1, and for analogous reasons, independent Claims 8 and 15, and their dependent claims, when considered as a whole. Claims 1, 6-8, 13-15, 20 and 21 are therefore not obvious in view of Aaltonen and variously Stockton, Eng or Chen.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 1, 6-8, 13-15, 20 and 21 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

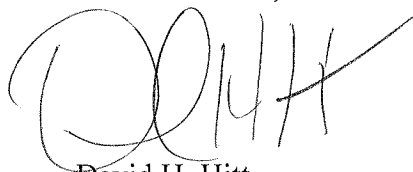
### III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1, 3-8, 10-15, and 17-22.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read 'DH Hitt', with a large circular flourish on the left side.

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